

Senate Amendment 5177

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1 1 Amend Senate File 2298 as follows:
1 2 #1. Page 39, line 23, by striking the figure
1 3 <346,451> and inserting the following: <396,451>.
1 4 #2. By striking page 48, line 30, through page 49,
1 5 line 9 and inserting the following:
1 6 1 7 b. Merged Area II \$ 7,859,917
1 8 c. Merged Area III \$ 7,295,985
1 9 d. Merged Area IV \$ 3,569,332
1 10 e. Merged Area V \$ 7,499,287
1 11 f. Merged Area VI \$ 6,918,909
1 12 g. Merged Area VII \$ 10,008,601
1 13 h. Merged Area IX \$ 12,311,409
1 14 i. Merged Area X \$ 19,369,288
1 15 j. Merged Area XI \$ 20,524,506
1 16 k. Merged Area XII \$ 8,084,396
1 17 l. Merged Area XIII \$ 8,298,918
1 18 m. Merged Area XIV \$ 3,612,936
1 19 n. Merged Area XV \$ 11,362,216
1 20 o. Merged Area XVI \$ 6,346,191>
1 21 #3. Page 54, line 20, by inserting before the word
1 22 the following: <(4)>.
1 23 #4. Page 54, line 30, by striking the figure <(1)>
1 24 and inserting the following: <(a)>.
1 25 #5. Page 54, line 32, by striking the figure <(2)>
1 26 and inserting the following: <(b)>.
1 27 #6. Page 54, line 35, by striking the figure <(3)>
1 28 and inserting the following: <(c)>.
1 29 #7. Page 55, line 4, by striking the figure <(4)>
1 30 and inserting the following: <(d)>.
1 31 #8. Page 55, line 8, by striking the figure <(5)>
1 32 and inserting the following: <(e)>.
1 33 #9. Page 63, line 2, by striking the figure <(1)>
1 34 and inserting the following: <a.>
1 35 #10. Page 63, line 8, by striking the figure <(2)>
1 36 and inserting the following: <b.>.
1 37 #11. Page 159, by inserting after line 5 the
1 38 following:
1 39 1 40 correctional services for a grant as provided in this
1 41 paragraph:
1 42 \$ 75,000
1 43 The amount appropriated in this paragraph shall be
1 44 distributed as a grant to a private nonprofit
1 45 organization for expansion of a program operated by
1 46 the organization in collaboration with the judicial
1 47 district department and the county attorney's office
1 48 of the largest county in the judicial district. The
1 49 purpose of the program is to rehabilitate young
1 50 convicted felons as an alternative to incarceration.>
2 1 #12. Page 176, line 21, by striking the figure
2 2 <438,750> and inserting the following: <538,750>.
2 3 #13. Page 176, line 25, by striking the figure
2 4 <536,250> and inserting the following: <436,250>.
2 5 #14. By striking page 179, line 29, through page
2 6 180, line 5 and inserting the following:
2 7 #15. Page 180, by inserting after line 12 the
2 8 following:
2 9 _____. Section 257.18, subsection 2, Code
2 10 2003, is amended by adding the following new
2 11 unnumbered paragraph:
2 12 NEW UNNUMBERED PARAGRAPH. Notwithstanding anything
2 13 to the contrary in this section, if the board adopts a
2 14 resolution, not later than April 15, 2004, to
2 15 participate in the instructional support program and a
2 16 petition is not filed or if the question is submitted
2 17 to the registered voters of the school district and
2 18 the question is approved, the authorization to
2 19 participate shall be effective on the date specified
2 20 in the resolution.>
2 21 #16. By striking page 187, line 32, through page
2 22 193, line 26 and inserting the following:
2 23 _____. PAYMENTS IN LIEU OF GENERAL FUND
2 24 REIMBURSEMENT. Notwithstanding the amount of the
2 25 standing appropriation from the general fund of the
2 26 state in the following designated sections and

2 27 notwithstanding any conflicting provisions or voting
2 28 requirements of section 8.56, there is appropriated
2 29 from the cash reserve fund in lieu of the
2 30 appropriations in the following designated sections
2 31 for the fiscal year beginning July 1, 2004, and ending
2 32 June 30, 2005, the following amounts for the following
2 33 designated purposes:
2 34 1. For reimbursement for the homestead property
2 35 tax credit under section 425.1:
2 36 \$102,945,379
2 37 2. For reimbursement for the agricultural land and
2 38 family farm tax credits under sections 425A.1 and
2 39 426.1:
2 40 \$ 34,610,183
2 41 3. For reimbursement for the military service tax
2 42 credit under section 426A.1A:
2 43 \$ 2,568,402
2 44 4. For implementing the elderly and disabled
2 45 credit and reimbursement pursuant to sections 425.16
2 46 through 425.40:
2 47 \$ 19,540,000

2 48 If the sum of the amount of claims for credit for
2 49 property taxes due plus the amount of claims for
2 50 reimbursement for rent constituting property tax paid
3 1 which are to be paid during the fiscal year beginning
3 2 July 1, 2004, exceeds the amount appropriated in this
3 3 subsection, the director of revenue shall prorate the
3 4 payments for the property tax credit and for
3 5 reimbursement for rent constituting property tax paid.
3 6 In order for the director to carry out the
3 7 requirements of this subsection, notwithstanding any
3 8 provision to the contrary in chapter 425, claims for
3 9 reimbursement for rent constituting property taxes
3 10 paid filed before May 1, 2005, shall be eligible to be
3 11 paid during the fiscal year ending June 30, 2005, and
3 12 those claims filed on or after May 1, 2005, shall be
3 13 eligible to be paid during the fiscal year beginning
3 14 July 1, 2005, and the director is not required to make
3 15 payments to counties for the property tax credit
3 16 before June 15, 2005.>

3 17 #17. Page 193, by inserting before line 27 the
3 18 following:

3 19 _____. Section 455B.174, subsection 4, Code
3 20 2003, is amended by adding the following new
3 21 paragraph:

3 22 NEW PARAGRAPH. e. If a public water supply has a
3 23 groundwater source that contains petroleum, a fraction
3 24 of crude oil, or their degradation products, or is
3 25 located in an area deemed by the department as likely
3 26 to be contaminated by such materials, the department
3 27 may require the public water supply to replace that
3 28 groundwater source in order to receive a permit to
3 29 operate. The requirement to replace the source shall
3 30 only be made by the department if the public water
3 31 supply is fully compensated for any additional design,
3 32 construction, operation, and monitoring costs from the
3 33 Iowa comprehensive petroleum underground storage tank
3 34 fund created by chapter 455G or from any other funds
3 35 that are made available. The department cannot
3 36 require a public water supply to replace its water
3 37 source with a less reliable water source or with a
3 38 source that does not meet federal primary, secondary,
3 39 or other health-based standards unless treatment is
3 40 provided to ensure that the drinking water meets these
3 41 standards. The department may designate whether the
3 42 public water supply will replace the groundwater
3 43 source or obtain its drinking water from another
3 44 public water supply.>

3 45 #18. Page 193, by inserting after line 33 the
3 46 following:

3 47 _____. Section 535.8, subsection 2, paragraph
3 48 b, unnumbered paragraph 2, Code 2003, as amended by
3 49 2004 Iowa Acts, House File 2484, if enacted, is
3 50 amended to read as follows:

4 1 The lender shall not charge the borrower for the
4 2 cost of revenue stamps or real estate commissions
4 3 which are paid by the seller.

4 4 The collection of any costs other than as expressly
4 5 permitted by this paragraph "b" is prohibited.
4 6 However, additional costs incurred in connection with
4 7 a loan under this paragraph "b", if bona fide and

4 8 reasonable, may be collected by a state=chartered
4 9 financial institution licensed under chapter 524, 533,
4 10 or 534, to the extent permitted under applicable
4 11 federal law as determined by the office of the
4 12 comptroller of the currency of the United States
4 13 department of treasury, the national credit union
4 14 ~~association administration~~, or the office of thrift
4 15 supervision of the United States department of
4 16 treasury. Such costs shall apply only to the same
4 17 type of ~~state chartered~~ ~~state=chartered~~ entity as the
4 18 federally chartered entity affected and to an insurer
4 19 organized under chapter 508 or 515, or otherwise
4 20 authorized to conduct the business of insurance in
4 21 this state.>

4 22 #19. Page 202, by inserting after line 11 the
4 23 following:

4 24 _____. VEHICLE DEALERSHIP STUDY. The
4 25 legislative council is requested to appoint an interim
4 26 study committee that will study the motor vehicles
4 27 franchise law or motor vehicle licensing law as it
4 28 pertains to motor vehicle dealerships' moves from one
4 29 facility and location to another facility and location
4 30 in the state. A report should be provided to the
4 31 general assembly by January 15, 2005.

4 32 Sec. _____. PREVAILING LEGISLATION. If 2004 Iowa
4 33 Acts, Senate File 399 is enacted and includes a
4 34 provision increasing the criminal penalty surcharge to
4 35 thirty=two percent of a fine or forfeiture, the
4 36 following shall be the consequence:

4 37 1. The thirty percent surcharge set out in the
4 38 amendment to section 911.1, Code 2003, in 2004 Iowa
4 39 Acts, House File 2530, section 10, if enacted, is null
4 40 and void, and 2004 Iowa Acts, House File 2530, section
4 41 10, if enacted, is amended to provide for the
4 42 surcharge at thirty=two percent to conform to the
4 43 thirty=two percent provision included in 2004 Iowa
4 44 Acts, Senate File 399.

4 45 2. As a result of including the thirty=two percent
4 46 provision in 2004 Iowa Acts, House File 2530, section
4 47 10, if enacted, the section of 2004 Iowa Acts, Senate
4 48 File 399 amending section 911.2, Code 2003, is null
4 49 and void.>

4 50 #20. Page 202, by inserting after line 33 the
5 1 following:

5 2 <_____. The section of this division of this Act
5 3 amending section 257.18, being deemed of immediate
5 4 importance, takes effect upon enactment.>

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5 7
5 8 JEFF ANGELO
5 9 SF 2298.317 80
5 10 mg/cf